

**Minutes of Special and Regular Meeting of May 12, 2015**  
**One Twin Pines Lane**

**SPECIAL MEETING, Emergency Operations Center**  
**CALL TO ORDER 6:30 p.m.**

**ROLL CALL**

COUNCILMEMBERS PRESENT: Reed, Lieberman, Stone, Braunstein  
COUNCILMEMBERS ABSENT: Wright

**STUDY SESSION**

**Tax Revenue Review - Special Presentation by Doug Jensen (MuniServices)**

Finance Director Fil noted that Muni Services has been auditing tax revenues for the City of Belmont for years.

Doug Jensen, Consultant, provided sales tax revenue comparisons of San Mateo County cities, including within the downtown regions. He also provided information relative to sales tax forecasts, and jobs and sales tax per capita. He noted that the top 25 businesses account for over 72 percent of the sales tax base. He also provided comparisons relative to storefront versus on-line sales, and pointed out that purchasing habits are different among different generations.

Mr. Jensen also provided property tax revenue comparisons among the cities in San Mateo County. He noted that hotels are experiencing a high occupancy. He also provided business license tax revenue information.

Discussion ensued regarding Belmont's business license tax structure. Mr. Jensen point out that any change in the fee structure would require a vote of the people.

**ADJOURNMENT** at this time, being 7:00 p.m.

Terri Cook  
City Clerk

Meeting audiotaped but not videotaped.

**REGULAR MEETING, City Council Chambers**  
**CALL TO ORDER 7:05 P.M.**

**ROLL CALL**

COUNCILMEMBERS PRESENT: Reed, Lieberman, Stone, Braunstein  
COUNCILMEMBERS ABSENT: Wright

**PLEDGE OF ALLEGIANCE**

Led by Fire Chief Keefe and Police Chief DeSmidt

## **SPECIAL PRESENTATIONS**

### **Public Safety Awards**

Police Chief DeSmidt presented the following awards for the Police Department:

Volunteer of the Year Ryan McGuire  
Employee of the Year Kirk Buckman  
Dispatcher of the Year Tracy Jernegan  
Officer of the Year Corporal Scott Fegley

Fire Chief Keefe presented the following awards for the Belmont Fire Protection District:

CERT Volunteer Haman Tam  
Firefighter of the Year Jeff Thorne

**RECESS: 7:22 P.M.**

**RECONVENE: 7:30 P.M.**

### **Recognition of Public Works Week**

Mayor Braunstein presented the proclamation. Public Works Director Oskoui announced the upcoming Public Works Week Open House activities on May 20.

## **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

**Marsi O'Malley-Riley**, Belmont Library, outlined summer events and activities for school students.

**Cory Konnert**, general contractor, commented regarding a code enforcement issue on a construction project in Belmont.

### **COUNCILMEMBER ANNOUNCEMENTS**

Councilmember Stone noted that Parks and Recreation Department employee Matt Ward participated in the recent Boston Marathon.

Councilmember Reed noted his attendance at Notre Dame de Namur's recent commencement exercise. He commended the Belmont Police Department for addressing mental health issues as part of community policing. He commented regarding the Giving Tree at the senior center.

Mayor Braunstein announced the upcoming National Night Out meeting. He pointed out that Carlmont High School's commencement would take place on June 5.

### **ITEMS APPROVED ON CONSENT CALENDAR**

Minutes of Special and Regular City Council Meeting of April 28, 2015

Resolution 2015-056 authorizing the City Manager to execute Amendment No. 1 to the Service Agreement with The Lew Edwards Group (LEG) to conduct a tracking poll and perform additional communication services in an amount not to exceed \$27,500

Ordinance 2015-1085 delegating to the Belmont Fire Protection District the authority to conduct these periodic inspections within the City of Belmont

**ACTION:** On a motion by Councilmember Reed, seconded by Councilmember Stone, the Consent Calendar was unanimously approved (4-0, Wright absent).

## **PUBLIC HEARINGS**

### **2015-2023 Housing Element Adoption (CEQA Negative Declaration)**

Community Development Director de Melo explained the procedure and requirements for adoption of the Housing Element.

In response to Councilmember Stone, Community Development Director de Melo clarified that new housing units could be accommodated primarily along El Camino Real, as well as the addition of in-fill and secondary dwelling units elsewhere. He clarified that the requirement is to demonstrate where housing could be built, and the regulations do not mandate that units be built.

Mayor Braunstein opened the Public Hearing. No one came forward to speak. Mayor Braunstein closed the Public Hearing.

Councilmember Stone recognized the efforts of staff on this report. He pointed out the ongoing need for affordable housing.

**ACTION:** On a motion by Councilmember Lieberman, seconded by Councilmember Stone, Resolution 2015-057 amending the General Plan by updating the Housing Element for the 2015-2023 planning period and adopting a Negative Declaration for the project, as recommended by the Planning Commission, and direct staff to submit the Housing Element to the Department of Housing and Community Development for certification was unanimously approved (4-0, Wright absent).

**RECESS: 7:45 P.M.**

**RECONVENE: 7:55 P.M.**

## **COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS (Taken out of order on agenda)**

### **Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments**

Councilmembers provided updates to their intergovernmental assignments.

### **Verbal report from City Manager**

City Manager Scoles and Public Works Director Oskoui spoke regarding ADA (Americans with Disabilities) projects taking place throughout city, and provided an update on the street light replacement project which will result in cost savings.

## **OTHER BUSINESS**

### **Text Amendments to the Belmont Zoning and Tree Ordinances**

Senior Planner DiDonato outlined modifications made to the ordinances based on discussion and direction at the April 28<sup>th</sup> meeting, including tiered review, setback requirements, established residential design criteria, maximum floor area cap increase, modified definitions, parking modifications, and secondary dwelling unit modifications. He stated that modifications to the tree ordinance included definitions of heritage trees and the required findings for tree removal under development agreements.

Senior Planner DiDonato noted that the removal of floor area for garages might conflict with the slope density table, and recommended this be tabled for a future discussion.

In response to Councilmember Reed, Senior Planner DiDonato explained that the few residences in Belmont without covered parking would need a variance if the owner was unable to accommodate covered parking in future home expansion.

Discussion ensued regarding residences without covered parking and secondary dwelling units as they relate to accessory structures on site.

Mayor Braunstein opened the Public Hearing.

**Michael O'Neill**, Belmont resident, stated that not many people know about ordinance changes. He commented regarding the recent campaign ordinance changes and the code of conduct. He suggested putting the ordinance changes to a vote of the people.

**Gary Feierbach**, Belmont resident, commented regarding tiered review and lack of public notification. He suggested reducing the future Council review of this new ordinance to 12 months rather than 18 months. He pointed out that larger secondary dwelling units will add more people and more cars.

**Karin Hold**, Belmont resident, expressed concerns regarding safety with ordinance modifications.

**Dirk Van Ulden**, Belmont resident, expressed concerns regarding ordinance modifications. He expressed a desire to protect Belmont's uniqueness, and to maintain the variance process.

**Anne Hoffman**, Belmont resident, commented that a small home no longer serves her family, and she cannot afford a larger home. She expressed support for modifications.

**Tran**, Belmont resident, expressed concerns regarding the proposed ordinance amendments. She wants to preserve Belmont's small town atmosphere.

**Birgit Merian**, Belmont resident, stated she recognizes the need to accommodate growing families. She suggested other changes to the ordinances that could accommodate this. She questioned the

urgency in moving this matter forward.

**Kristin Mercer**, Belmont resident, outlined spec homes that are under way. She commented regarding the tree ordinance changes. She noted that many people have expressed concerns regarding the proposed changes.

**Pat Kelleher**, Belmont resident, noted that many people are not aware of proposed zoning changes. She expressed concerns regarding large homes being built in the future, and parking issues.

**Scott Barton**, Belmont resident, commented regarding the inclusive process of this project. He also commented regarding lifting the 3,500 square foot cap, and suggested that a house should be proportionate to the lot.

**Adele Della Santina**, Belmont resident, commented regarding the amount of public outreach on this matter. She stated that no one has requested to exceed the 3,500 square foot maximum. She noted there will not likely be many requests for secondary dwelling units, and she suggested that if parking on the street is an issue, it should be addressed as a separate matter.

**Alyse Tognotti**, Belmont resident, commented that families should be accommodated in their homes, and the home should be comparable to the lot size.

**Ian Prickett**, expressed concerns regarding the speed of moving forward the ordinance modifications. He commented regarding parking needs, size increase, secondary dwelling units, and modifications to the tree ordinance. He expressed the need to focus on sidewalks and pedestrian safety.

**Kevin Sullivan**, Belmont resident, expressed support for proposed changes as a way for existing families to improve their homes. He commented regarding the tree ordinance.

**Matthew Kerby**, Belmont resident, spoke regarding the amount of public outreach utilized for proposed ordinance changes, and he supports the proposed changes. He noted the need for families to make changes to their homes.

**Sunil Pareenja**, Belmont resident, expressed support for proposed changes.

**Max Reinhardt**, noted that these ordinances changes have permeated social media. He noted that developers are concerned with safety, public benefits, and schools.

**Vlad Vinarskiy**, Belmont resident, expressed support for the proposed changes to the ordinance.

**ACTION**: On a motion by Councilmember Stone, the Public Hearing was unanimously closed (4-0, Wright absent).

Discussion ensued regarding off-street parking, garages, and carports.

Councilmember Lieberman stated that the proposed modifications will allow people to improve their homes. He noted that the existing ordinance is limiting.

Councilmember Reed pointed out that the existing ordinance was put in place as a result of untethered growth in the past. He noted that secondary dwelling units are allowed by right by the State of California. He questioned why people are not parking cars in their garages and carports rather than on the street.

Discussion ensued regarding parking.

Councilmember Lieberman expressed support for making changes to the ordinance at this time. He pointed out that future changes to the ordinances could easily be made by the council, and noted that if this ordinance was approved by voters, it would be more difficult to modify. He expressed support for satisfying parking requirements with a carport.

Discussion ensued regarding the allowable size for secondary dwelling units.

Council concurred to have future discussions regarding carports, maximum home size based on lot size, and floor area tables related to the counting of garage space as floor area. Council also concurred to allow the option of the use of carports in order to satisfy the covered parking requirement on existing homes or new homes.

Senior Planner DiDonato recommended addressing carports in the residential design guidelines in order to ensure quality.

Discussion ensued regarding home size relative to floor area, public outreach and public meetings, replanting requirements for tree removal, and heritage tree size.

**ACTION:** On a motion by Councilmember Lieberman, seconded by Councilmember Reed, and unanimously approved (4-0, Wright absent) to introduce an ordinance amending sections of the Belmont Zoning Ordinance ("BZO") governing residential districts (Section 4), single family design review (Section 13A), parking (Section 8), secondary dwelling units (Section 24), associated definitions (Section 2), general development regulations (Section 9), said ordinance modified to include language relative to the satisfaction of covered parking by the use of carports, and modifications to the Tree Ordinance (City Code Chapter 25), and to set the second reading and adoption for May 26, 2015.

**ADJOURNMENT at this time, being 10:30 p.m.**

Terri Cook  
City Clerk